IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 28TH MAY 2007 / 7TH JYAISHTA 1929

WP(C).No. 25383 of 2006(V)

PETITIONER:

T.K.MUHAMMED KUTTY, S/O.KUNHAMUTTY,
AGED 43 YEARS, KUNUMMAL HOUSE, KOORAD P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.DEVIDAS.U.K

RESPONDENTS:

1. THE KERALA STATE FINANCE ENTERPRISES LTD
CORPORTE OFFICE, "BHADRATHA", THRISSUR.

2. THE SPECIAL DEPUTY TAHSILDAR,
(REVENUE RECOVERY), THE KERALA STATE
FINANCE ENTERPRISES LTD., PALAKKAD.

3. VILLAGE OFFICER,
WANDOOR, MALAPPURAM DISTRICT.

BY ADV. SRI.A.K.JOHN, ADDL.SC., KSFE LTD.
SRI.K.S.HARIHARAPUTHRAN,SC,K.S.F.E. LTD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Exts.P1(a) & P1(b)	A true copy of the notices issued by the second respondent under section 7 of the Revenue Recovery Act, dated 5.4.2005.
Ext.P2	A true copy of the notice dated 12.8.2005 issued under section 36 of the Revenue Recovery Act.
Ext.P3	A true copy of the judgment of this Hon'ble Court dated 5.1.2006 in W.P.(C) No.25546/2005.
Ext.P4	A true copy of the receipt for Rs.20,000/= dated 31.1.2006 issued by the second respondent.
Ext.P5	A true copy of the application for OTS dated 31.1.2006 with postal receipt.
Ext.P6	A true copy of the notice of sale dated 18.8.2006 issued by the second respondent under Section 49(2) of the revenue recovery Act to the petitioner.

RESPONDENT'S EXHIBITS:

NIL

//true copy//

P.S. to Judge.

WPC.

C.N.RAMACHANDRAN NAIR, J.

W.P.(C) No. 25383 OF 2006

Dated this the 28th May, 2007.

J U D G M E N T

Even though the writ petition was filed on 26.9.2006, a statement is filed only on February 2007. This shows the indifference on the part of the respondents, the Kerala State Financial Enterprises Ltd. Now, the counsel appearing for the petitioner submits that the petitioner is not given a copy of Annexure-A produced in Court by the K.S.F.E. There is every likelyhood of the petitioner's claims being true.

2. In any case, since petitioner agreed to make payment in terms of Annexure-A, within a period of one month from today, the writ petition is disposed of granting time for settlement of the liability till 30.6.2007. The K.S.F.E. is directed to give a statement of liability within a week from the date of production of a copy of this judgment, for the petitioner to make payment. Sale will be deferred till 30th July, 2007. If the payment is not made, as directed above, the property of the petitioner can be sold immediately after default.

C.N.RAMACHANDRAN NAIR,
JUDGE

nj.